

AN ORDINANCE PROVIDING FOR THE CONTROL OF ABANDONED,  
INOPERATIVE AND UNATTENDED MOTOR VEHICLES WITHIN THE  
CITY OF CABOT, ARKANSAS

BE IT KNOWN THAT:

WHEREAS, inoperative motor vehicles are being abandoned on public streets and private premises in the City of Cabot, and;

WHEREAS, motor vehicles which are inoperative and left standing on public streets or private premises provide harborage for rodents, insects, and other undesirable vermin, and;

WHEREAS, such an inoperative motor vehicles can constitute dangerous visual obstruction to motorists and pedestrians,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CABOT, ARKANSAS, THAT:

Section 1. It is unlawful for any person to leave an inoperative motor vehicle on any public street or in any public place for a period of more than forty-eight hours.

Section 2. It is unlawful to leave any unattended motor vehicle on the property of any other person without that person's consent.

Section 3. It is unlawful to have any licensed or unlicensed, inoperative motor vehicle exposed to public view on any private premises for a period of more than thirty days, except for business and commercial firms.

Section 4. Violations of this Ordinance shall be proceeded against as follows:

(a) Any motor vehicle which is found to be in violation of Section 1 or 2 of this Ordinance shall be towed away and stored at the expense of the owner of the motor vehicle.

(b) Any person in violation of Section 3 of this ordinance shall be served with a written notice that the motor vehicle in violation must be removed from the premises or the violation otherwise stopped within 15 days from the service of the notice. If after 15 days from

from the service of notice, the inoperative motor vehicle is still found to be in violation, the owner of the premises or the person in possession may be charged with a violation this Ordinance. Each and every day of violation after the 15 day notice has been given constitutes a separate punishable offence.

(c) Any motor vehicle that is towed and stored because of a violation of this Ordinance may be reclaimed at any time by the owner of the motor vehicle upon payment of towing and storage charges. If any motor vehicle remains unclaimed after seven days, the Police Department shall proceed to dispose of the motor vehicle pursuant to Ark. Stats. §75-1034 (1973 Supp.).

(d) Violations of this Ordinance shall be a misdemeanor and punishable by a fine of not less than \$10.00 nor more than \$100.00 for each separate offence.

Section 5. The responsibility for enforcement of this Ordinance shall be with the Police Department of the City of Cabot, Arkansas, and it shall make investigations, serve written notices, make arrests, arrange for towing and storage, dispose of motor vehicles, and perform such other duties as are necessary or incidental to the enforcement.

Section 6. All Ordinances, or parts thereof, in conflict with this Ordinance shall be and the same are hereby repealed.

Section 7. The respective provisions of this Ordinance shall be considered to be severable, and in the event any part thereof is held to be invalid, or unconstitutional, the invalidity or unconstitutionality of said portion shall not effect the remaining provisions of this Ordinance, and they shall continue in full force and effect.

Section 8. EMERGENCY. It being found that the presence of abandoned motor vehicles within the City of Cabot, Arkansas, constitutes a danger to the health, peace, and safety of the residents of the City of Cabot, Arkansas, and that this Ordinance is necessary for the

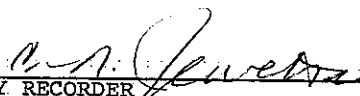
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protection of the public health, safety and welfare of the residents of the City of Cabot, Arkansas, this Ordinance shall be of full force and effect immediately upon its approval and passage.

PASSED and APPROVED this 14 day of July, 1975,  
by the City Council of the City of Cabot, Arkansas.

  
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WILLIE RAY, MAYOR

Attest:

  
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CITY RECORDER  
(SEAL)